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Transcript of Susan Brancato Vizas

Date: February 27, 2018

Case: Maryland Shall Issue, Inc., et al. -v- Hogan, et al.

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EXHIBIT

3

1 IN THE UNITED STATES DISTRICT COURT
2
3 - - - - - x

4 MARYLAND SHALL ISSUE, :
5 INC., et al., :
6 Plaintiffs, : Civil Action No.

7 v. : 16-cv-3311-MJG

8 LAWRENCE HOGAN, et :
9 al., :
10 Defendants. :

11 - - - - - x
12
13 CONFIDENTIAL INFORMATION REDACTED
14 Deposition of SUSAN BRANCATO VIZAS
15 Baltimore, Maryland
16 Tuesday, February 27, 2018
17 9:33 a.m.
18
19
20 Job No.: 178304
21 Pages: 1 - 60
22 Reported By: Sandra A. Slater, RPR, CSR

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1 Q You need to give a verbal response to my
2 questions, yes, no or some other statement.

3 Shaking your head or nodding your head or unh-unh
4 or uh-huh are not sufficient. Okay?

5 A Yes.

6 Q If you need to take a break at any time,
7 just let us know and we will arrange to do that.

8 Are you on any medications or are you suffering
9 from any medical conditions that would prevent you
10 from testifying truthfully today?

11 A No.

12 Q Have you ever been a party to a lawsuit
13 before this?

14 A No. Oh, when I was a teenager there was
15 an issue with canceling an appointment for my
16 wisdom teeth removal but that was --

17 Q Other than that, you've never been a party
18 to a lawsuit?

19 A Nope.

20 Q What is your current address?

21 A 8002 Bull Rush Court, Frederick, Maryland
22 21701.

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1 Q And how long have you resided there?

2 A 18 years.

3 Q And is that --

4 A 18 years in September. Sorry.

5 Q Is that a single family home?

6 A A townhome.

7 Q A townhome? And you own that?

8 A Us and the bank.

9 Q And who else lives there with you?

10 A My husband and three children. Assorted
11 pets.

12 Q How old are your children?

13 A 16, 14 and 10.

14 Q Other than your attorneys have you talked
15 to anybody about this lawsuit?

16 A No.

17 Q What's your current employment?

18 A I work part-time from my home for Harmony
19 Hills.

20 Q I'm sorry, I missed that.

21 A That's okay. Harmony Hills, LLC.

22 Q And what does that company do?

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1 A Oh, I apologize, yes.

2 Q You have seen this before?

3 A I have seen this before.

4 Q This is a copy of the First Amended
5 Complaint --

6 A Right.

7 Q -- that's been filed in the lawsuit on
8 your behalf. And in Paragraph 17 it alleges that
9 you would like to purchase a handgun for self
10 defense, target practice and other lawful
11 purposes. Do you see that?

12 A I do.

13 Q All right. When did you decide that you
14 wanted to purchase a handgun?

15 A When my daughter expressed an interest in
16 shooting.

17 Q And when was that?

18 A 2015.

19 Q And how old is your daughter?

20 A 14.

21 Q So in 2015 she would have been 11; is that
22 right? Yes?

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1 A I don't understand the question.

2 Q What year, was it more than 10 years ago?

3 A Yes. Well, probably in the last 10 years
4 I've probably been once with him.

5 Q So when you fired the handgun when you
6 said your property you were referring to property
7 in South Carolina, not in Maryland?

8 A That is correct.

9 Q And what year was it, if you can recall,
10 when was the last time you fired a handgun?

11 A I can't recall.

12 Q Was it more than five years ago?

13 A Yes.

14 Q The Complaint alleges that you would like
15 to purchase a handgun for self defense, target
16 practice and quote, other lawful purposes. What
17 other purposes do you intend to use the handgun
18 for?

19 A As it is now, the law is when my father
20 passed away I couldn't have one of his guns
21 because I don't have the HTO; is that correct?

22 Q Unfortunately, I'm not the person being

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1 deposed here today, so I'm not going to be
2 answering any questions --

3 A Okay.

4 Q -- unless it's to clarify something that I
5 asked you. So your father had a gun, a handgun
6 that he -- that you wanted to take ownership of;
7 is that correct?

8 A That would be correct.

9 Q That's after he died or?

10 A Yes.

11 Q What kind of a gun was it?

12 A A Colt 45.

13 Q And what year did he die?

14 A 2012.

15 Q And so what did you intend to do with the
16 Colt 45 other than just have it?

17 A There you go.

18 Q Nothing?

19 A Correct.

20 Q All right. But you now want to purchase a
21 handgun for self defense and target practice; is
22 that correct?

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1 application for HQL?

2 A No.

3 MR. HANSEL: I've got a minor emergency in
4 my office. Do you mind if we go off for just five
5 minutes?

6 MR. SCOTT: Sure, fine.

7 (A recess was taken.)

8 BY MR. SCOTT:

9 Q Ms. Vizas, I just want to go back and
10 follow-up a little bit on the Colt 45 that you
11 were going to inherit from your father. You said
12 that it was in 2013 when you would have taken
13 ownership of that gun. Do you recall what month
14 that would have happened in?

15 A I do not recall the month.

16 Q All right. You mentioned the background
17 check that you underwent to be a volunteer at the
18 school. Did that include fingerprinting?

19 A No.

20 Q In the Complaint, which is Exhibit 2, in
21 Paragraph 16, it's alleged that you have taken and
22 passed hunter safety training. Do you see that?

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1 A I do see that.

2 Q Is that correct?

3 A That is correct.

4 Q All right. When did you do that?

5 A I think it was 2016. I'd have to go back
6 and look.

7 Q It was in Maryland?

8 A Correct. The only reason I took it was
9 because I had to take my children to take it.

10 Q Your children wanted to take the same
11 class?

12 A Yes.

13 Q And did they do that?

14 A They did.

15 Q And what's your understanding of whether
16 or not that hunter safety training would qualify
17 as training in order to obtain an HQL?

18 A I guess my understanding is not quite
19 clear.

20 Q Have you done any investigation into that
21 question?

22 A I have not.

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1 specific individual who wishes to purchase a
2 handgun but is unable to complete the HQL
3 requirements because they lack a Maryland driver's
4 license or other Maryland State identification?

5 A No.

6 Q Can you please describe for me the
7 inconvenience that has deterred you from obtaining
8 an HQL?

9 A It's the expense end of the class.

10 Q The expense of the class?

11 A The class is an issue.

12 Q Anything else?

13 A No, not really. The time, though, is
14 another issue.

15 Q The time to what?

16 A The time to take the class, to get
17 fingerprints, to wait for a background check.

18 Q Well, what's your understanding of how
19 long it would take to complete the course?

20 A When you can fit it into your schedule.
21 The course is I think it's a few days but then
22 time on the range. I don't know how long that